

Rosemarie Baccile, Acting Executive Director  
Submitted for review at the May 28, 2014 mtg.

**State Board of Examiners of Heating, Ventilating, Air Conditioning and Refrigeration  
(HVACR) Contractors**

***Minutes - Meeting #14 - TUESDAY, APRIL 15, 2014***

The Minutes of the Board meeting held on Tuesday, April 15, 2014 have not been formally approved and are subject to change or modification by the Public Body at its next scheduled meeting.

The notice of the Tuesday, April 15, 2014 meeting has been mailed to the Star Ledger, Camden Courier Post, and Trenton Times newspapers, and has also been posted on the Bulletin Board at the Office of the Secretary of State, Trenton, New Jersey.

The Board meeting of Tuesday, April 15, 2014 was called to order at 9:00 am with the following Members in attendance:

Pelagio J. Gonzales - Master HVACR Contractor 1  
Daniel G. Danko, Jr. - Master HVACR Contractor 2  
Dominic D. Demico, Jr. - Mechanical Inspector 1  
Paul J. Mitchell - Master HVACR Contractor 3  
Michael K. Maloney - Mechanical Inspector 2  
Mary Pranzatelli - Public Member 2  
Angelo Ralph Papa, Jr. - HVACR Journeyperson (*absent*)  
Timothy A. Griffith - Public Member 1 (*absent*)

Board Complement: (9):

As of this meeting date, one (1) vacancy remained for a Government Representative.

Attendees:

Joseph A. Donofrio, Counseling Deputy Attorney General (DAG)  
Charles Manning, Regulatory Affairs  
Rosemarie Baccile, Acting Executive Director  
Steven Mattia, Government Representative

Public Session Visitors:

Michael Faraone, NJSLMP

James C. Franchino, James C. Franchino Agency

Patrick Stewart, ACCA-NJ

PLEDGE OF ALLEGIANCE to the FLAG

Chairman Michael Maloney led the Board in the Pledge of Allegiance to the Flag.

1. CALL TO ORDER
2. ROLL CALL

APPROVAL OF MINUTES- MARCH 14, 2014 MEETING

A motion was made by Dan Danko and seconded by Paul Mitchell to approve the minutes. A vote was taken and the motion unanimously passed.

PUBLIC COMMENT:

On April 15, 2014, Chairman Maloney permitted each visitor in attendance with an opportunity to address the Board and state their comments and concerns. Comments were made.

A motion was made by Daniel G. Danko, Jr. and seconded by Dominic D. Demico, Jr. to close the public comment period. A vote was taken and the motion unanimously passed.

BOND FORM INQUIRIES:

Deputy Attorney General (DAG) Joseph A. Donofrio noted in response to questions raised concerning the **bond form** that the Board is not statutorily authorize to approve the bond form. The only requirement is that the HVACR licensee is bonded by the Department of Banking and Insurance.

3. HVACR OPERATIVE DATE MARCH 1, 2014  
ON-LINE LICENSING APPLICATIONS FOR LICENSED HVACR CONTRACTORS  
DIVISION OF CONSUMER AFFAIRS WEBSITE

Applications for Master HVACR Contractors will be reviewed by Board Members

Discussion on grandfathering period:

Operative date March 1, 2014 - to end September 1, 2014

Applications for Master HVACR Contractors were reviewed by Board Members.  
A discussion was held regarding the grandfathering period and administrative tools for applying on-line /submitting documentation for Board review.

- 4 . CHARLES MANNING, REGULATORY ANALYST  
DIVISION OF CONSUMER AFFAIRS

- Approval of responses to Dan O’Gorman

Subsequent to a discussion on this issue, a motion was made by Daniel G. Danko, Jr. and seconded by Paul J. Mitchell to approve the comments published on May 20, 2013. A vote was taken and the motion unanimously passed.

- Propane

A discussion was held as to the procedure the HVACR Board will follow with respect to educating licensees on propane. The HVACR will proceed as the State Board of Examiners of Master Plumbers in educating all licensees through Continuing Education with a competency exam to follow; secondly, educating applicants through apprenticeship training. Chuck Manning agreed to return with a draft rule.

- Veteran education

Subsequent to a discussion on this matter, a vote was made by Daniel G. Danko, Jr. and seconded by Dominic D. Demico, Jr., to approve the regulation N.J.A.C. 13:32a-2.7. A vote was taken and the motion unanimously passed.

5. INQUIRES SUBMITTED FOR BOARD DISCUSSION AND RESPONSE

Board Members discussed the inquiries submitted either by letter or email from eight (8) individuals. These inquiries and the Board responses are detailed as follows:

- ❑ *Anthony Cappiello  
Cappiello Construction, Inc.  
Letter of February 18, 2014*

*Inquiry concerning gas piping, generators and propane:*

*On April 15, 2014, the Board discussed this correspondence and noted that certifications for propane are issued by the Department of Community Affairs in Trenton, NJ. Natural gas piping does require a Master HVACR license.*

- ❑ *Eric DeGesero  
Executive Vice-President  
Fuel Merchants Association of New Jersey  
March 19, 2014 correspondence*

*Inquiry concerning an above ground heating oil storage tank (AST):*

*On April 15, 2014, Board Members discussed this matter and agreed that the installation and/or removal of an AST is within the HVACR scope of practice.*

- ❑ *Edward Truppo  
PSEG Technical HVACR instructor  
Email of April 3, 2014*

*Inquiry: "Is PSEG exempt from the license requirements? We do residential HVACR work under our Worry Free contracts."*

*On April 15, 2014, Board Members discussed this matter and advised that any public utility is exempt under the HVACR Statutes and Regulations, and to the extent that PSEG is performing worry free contracts, they are exempt based on N.J.A.C. 13:32a1.1c and N.J.S.A. 45:16a-10.*

- ☐ *Raymond Mills*  
*Vincentown, NJ - March 31, 2014 email*

*“Do self contained household refrigerator repairs fall under HVACR New Jersey law 13:32A?”*

*On April 15, 2014, the Board discussed this inquiry responding that this type work is deemed HVACR work and referred the consumer to the Definition of HVACR as contained in the Statutes and Regulations.*

- ☐ *Aerodyne-Redmond Environmental, Inc., Clifton, NJ*  
*Correspondence of March 19, 2014 - Public works projects*

*On April 15, 2014, Board Members discussed this correspondence and concluded that there is no distinction between public or private work. With respect to a corporation mentioned with two (2) owners who are mechanical engineers doing HVACR work, the Board responded by stating that at least one (1) of those contractors must be licensed as a Master HVACR contractor.*

- ☐ *Bob McAllister*  
*McAllister... The Service company*  
*Requiring liability insurance - April 10, 2014 email*

*On April 15, 2014, the Board discussed the correspondence dated April 10, 2014, from Mr. McAllister questioning if every licensee must obtain insurance, and responded as follows: No, not every licensee is required to obtain liability insurance. Licensed Master HVACR Contractors offering services to the public will be required to obtain general liability insurance. Members referred Mr. McAllister to the below regulation:*

*Pursuant to N.J.A.C. 13:32A-2.4 Licensure and pressure seal:*

- ***A certificate of general liability insurance** from an insurance company authorized and licensed to do business in New Jersey in the amount of \$ 500,000 for combined property damage and bodily injury to or death of one or more persons in any one accident or occurrence or proof of self-insurance approved by the Department of Banking and Insurance, obtained by the applicant or the HVACR company or corporation, **if the applicant will offer HVACR contracting services to the public, which includes instances when the applicant will act as a bona fide representative for a company or corporation.***

- *Larry Storr of Springfield, NJ - May 11, 2014 email*  
*“Is HVACR licensing required for a technician who works on appliances such as refrigerators and freezers? Mr. Storr advises that he works for a company that services small appliance-like freezer units.”*

*On April 15, 2014, the Board responded by stating that the Master HVACR license is required for this type work.*

- *Mike O’Connell                      EMAIL May 13, 2014 email*  
*Linden, NJ*  
*Email of April 13, 2014*

*“Does a commercial boiler repair business holding a NJR stamp for more than 20 years and a burner service on oil and gas for over 35 years, need to apply for the HVACR Contractors license?”*

*On April 15, 2014 the Board responded to this inquiry by stating the Master HVACR Contractor’s license is required for this type work.*

**6.      FUTURE MEETING DATES**

**ADJOURNMENT**

A motion was made by Pelagio J. Gonzales and seconded by Daniel G. Danko, Jr. to adjourn this meeting.

A vote was taken and the motion unanimously passed. The meeting ended at 3:00 pm.

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Rosemarie S. Baccile  
Acting Executive Director  
State Board of Examiners of HVACR Contractors